

**FENNEMORE CRAIG JONES VARGAS**

Karl L. Nielson, Esq. (No. 5082)  
300 South Fourth St. 14<sup>th</sup> Floor  
Las Vegas, Nevada 89101  
Telephone: 702-692-8044  
Facsimile: 702-692-8099  
*Local Counsel for Plaintiffs Stellia Limited and  
Stellia, Ltd.*

**DAVID STEINER & ASSOCIATES, PLC**

David P. Steiner, Esq.  
1875 Century Park East, Suite 2230  
Los Angeles, California 90067  
Telephone: (310) 557-8422  
Facsimile: (310) 556-0336  
[dpsartnetlaw@gmail.com](mailto:dpsartnetlaw@gmail.com)  
*Pro Hac Vice Lead Counsel for Plaintiffs  
Stellia Limited and Stellia, Ltd.*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

STELLIA LIMITED, a Maltese limited liability  
company; and STELLIA, LTD., a Nevada  
limited liability company,

Plaintiffs,

vs.

B+S CARD SERVICE GmbH, a German  
limited liability company,

Defendant.

Case No.: 2-12-cv-01099-GMN-PAL

Judge Gloria M. Navarro

**UNOPPOSED MOTION TO EXTEND  
TIME TO RESPOND TO DEFENDANT'S  
MOTION TO DISMISS**

**(First Request:  
Expedited Treatment Requested)**

Plaintiffs, Stellia Limited and Stellia, Ltd. ("Plaintiffs"), by and through their attorneys of record, the law firm of Fennemore Craig Jones Vargas and David Steiner & Associates, PLC, hereby move **unopposed** for an Order To Extend Time to Respond to Defendant B+S Card Service GmbH's ("Defendant") Motion to Dismiss the Complaint ("Motion") filed November 20, 2012, pursuant to Rule 6 of the Federal Rules of Civil Procedure and Local Rules 6-1 and 6-2. Expedited treatment is requested because the current deadline for Plaintiff to file a response to Defendant's Motion is December 7, 2012, and without expedited treatment, the period may run before Plaintiffs' Unopposed Motion is adjudicated. Plaintiffs seek an extension of 45 days from December 7, 2012 to January 21, 2013 in which to file their opposition.

1 This motion is supported by the following memorandum of points and authorities, the  
2 Declaration of Karl L. Nielson, attached as Exhibit 1 hereto, the papers and pleadings on file  
3 with the Court in this matter, and any argument that the Court may entertain should the Court  
4 require a hearing on this motion.

5 **MEMORANDUM OF POINTS AND AUTHORITIES**

6 **I.**

7 **STATEMENT OF FACTS**

8 Defendant's local Nevada counsel expressly confirmed that Defendant does not oppose  
9 Plaintiffs' request for additional time in which to file an opposition to the Motion to Dismiss  
10 Defendant filed on November 20, 2012 (Document # 23). *See* Declaration of Karl L. Nielson  
11 attached as Exhibit 1. Given that Plaintiffs' opposition is currently due on December 7, 2012,  
12 Plaintiffs request for an additional 45 days to file would result in an extension to January 21,  
13 2013. Moreover, given that the requested extension is unopposed, it should be granted as a  
14 stipulation for the same extension would be granted.

15 Further, there is good cause for Plaintiffs' request. Defendant's Motion to Dismiss is 27  
16 pages, contains complex issues of law, and has attached to it lengthy declarations regarding the  
17 issues. These issues touch not only on issues of American law and jurisprudence but also on  
18 issues of due process in the German court system. To respond to the length and complexity of  
19 Defendant's motion and declarations will require much more time to respond than the customary  
20 14 days. Plaintiffs will have to secure experts and witnesses to respond to Plaintiffs' declarations,  
21 which experts and witnesses may potentially be located outside of the country. Complicating the  
22 situation is the holiday season which will make securing the information and obtaining the  
23 necessary responses in a timely manner virtually impossible without additional time. Most  
24 critically, there is no prejudice to Defendant as to this extension as illustrated by their  
25 acquiescence thereto. Based on the foregoing, good cause exists for Plaintiffs' unopposed  
26 motion.

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**II.****LEGAL ARGUMENT**

Rule 6 of the Federal Rules of Civil Procedure generally allows for the extension of time for a procedural deadline based on good cause. Local rules 6-1 and 6-2 address the specific requirements for requests for extension of time, including the extension of time to file an opposition to a motion. Rule 6-2 specifically contemplates the submission of an unopposed motion to extend time such as the one submitted by Plaintiffs herein. Based on the Court's broad discretion to grant Plaintiffs' unopposed Motion and the good cause outlined above, Plaintiffs' request for an extension of 45 days to respond to Defendant's Motion to Dismiss should be granted. It is further requested that the Court adjudicate Plaintiffs' Motion to Extend on an expedited basis since the current deadline to respond to Defendant's Motion to Dismiss is December 7, 2012 and will pass without expedited treatment.

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III.

**CONCLUSION**

For the above reasons, it is respectfully requested that the response deadline date of December 7, 2012, for Plaintiffs to respond to Defendant's Motion to Dismiss be extended for forty-five (45) days up to and including January 21, 2013.

DATED this 330<sup>th</sup> day of November, 2012.

**FENNEMORE CRAIG JONES VARGAS**

By: /s/ Karl L. Nielson

Karl L. Nielson, Esq. (No. 5082)  
300 South Fourth St. 14<sup>th</sup> Floor  
Las Vegas, Nevada 89101  
Telephone: (702) 692-8044  
Facsimile: (702) 692-8099

*Local Counsel for Plaintiffs  
Stellia Limited and Stellia, Ltd.*

**DAVID STEINER & ASSOCIATES, PLC**

By: /s/ David P. Steiner

David P. Steiner, Esq.  
1875 Century Park East, Suite 2230  
Los Angeles, California 90067  
Telephone: (310) 557-8422  
Facsimile: (310) 556-0336

*Pro Hac Vice Lead Counsel for Plaintiffs  
Stellia Limited and Stellia, Ltd.*

**IT IS SO ORDERED:**

  
UNITED STATES DISTRICT JUDGE

Dated: \_ December 3, 2012